

Attendance: Katherine E. Murphy, Chair; John H. Stasik, Vice Chair; Charles J. Sisitsky, Clerk; A. Ginger Esty, Member; Dennis L. Giombetti, Member

Meeting called to order at 7:00 PM.

Ms. Murphy read the agenda.

Mr. William LeBarge said he was a Town Meeting member and a liberal member of CCFILE. He said he supported the right to have a sister city program and asked for information on this program to be posted on the Town's web site, such as goals and obligations of both cities and what the benefits were of having such a program.

Mr. Antonio Nixon and Rev. Anthony Lloyd spoke about a Hurricane Katrina Musical Benefit to be held on Sunday, September 25, 2005 at Bowditch Field. Rev. Lloyd said many people and businesses had come together to plan the event. He sought the Board's help in getting a public entertainment license for Sunday's event, something he said they just learned of that day.

Mr. Nixon said they needed a building inspector on Sunday morning to inspect the stage. Ms. Esty asked if building officials were available Sunday, which Mr. King said they weren't normally and he wasn't sure of their availability. Ms. Esty asked if there would be rides at the event, to which Mr. Nixon replied there would be a "Moonwalk" inflatable house for children but no mechanical rides. Mr. Giombetti asked if Rev. Lloyd could work with Mr. King to resolve the building inspector issue. Ms. Murphy agreed and applauded the church and Black Top for doing this event.

MOVED: To approve the license for this event and to cooperate in any way to make this event happen.

Motion: Ms. Esty Second: Mr. Sisitsky

VOTE: 5-0-0

Rev. Lloyd said they sought monetary donations not supplies. He said this event provided an opportunity for the Framingham community to come together. Rev. Lloyd said Town fees and the stage building were the only fees they had to pay for this event. He said a police detail would cost \$3,600. Rev. Lloyd said their overall budget totaled \$5,400 and they had about \$5,300 pledged so whatever amount they received in donations at the event they would be able to donate to the hurricane victims. He asked the Town if it could waive any fees. Mr. King said police details were a contract issue so

1 he would not be able to waive that cost. He asked Rev. Lloyd about the \$1,000 Parks &
2 Recreation cost, to which Rev. Lloyd responded it was for labor.

3
4 Mr. Giombetti asked if there was a way for people to donate if they were unable to attend
5 the event. Rev. Lloyd said people could send a check to the Framingham Cooperative
6 Bank for the Hurricane Katrina Fund.

7
8 Ms. Murphy asked Mr. King if the Town had previously waived fees for nonprofits. Mr.
9 King said the Town had done a number of things with fees over the years and said he
10 assumed the Town would waive the licensing fee, which Ms. Murphy concurred with.
11 He said the \$1,000 Parks and Recreation fee seemed high and if any of that, or the
12 Building fee, were non-labor he recommended waiving this amount. Ms. Murphy said
13 the Town would waive everything possible.

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16 PUBLIC HEARINGS

17
18 *Continued consideration of New All Alcohol Restaurant – Casa Brasil, 290 Worcester*
19 *Road – (Currently Beef Grill Restaurant - ComVic only) (Tabled from 9/13/05)*

20 Mr. Sisitsky said this was tabled from last week because of a concern expressed by a
21 resident on Aberdine Road. He said the Traffic and Roadway Safety Committee (TRSC)
22 discussed this concern last week and had John Bertorelli, Town Engineer, and Lt. Steven
23 Trask, Safety Officer, research the issue. Mr. Sisitsky said that the issue was very
24 complicated and that many businesses on route 9 had legal access to the street. He said
25 the Framingham Police Department (FPD) and Framingham Fire Department (FFD) also
26 used this street to access the rear of the buildings on route 9 when responding to an
27 emergency. Mr. Sisitsky said there was not an easy way to block off access to this street
28 and asked Mr. Bertorelli and Lt. Trask to research the issue further to see what the
29 Town's options were. He said it did not appear that the Town can ask the property
30 owners to do anything about blocking access to the street and as such he recommended
31 approving the transfer.

32
33 Ms. Esty agreed that this approval shouldn't be held up and asked Mr. Sisitsky if the
34 TRSC had referred anything to Christopher Petrini, Town Counsel, regarding the
35 Richardson case. Mr. Sisitsky said Mr. Bertorelli would be discussing the issue with the
36 Building Commissioner and Town Counsel would get involved only if necessary. Ms.
37 Esty said the Town needed to go further with this.

38
39 Ms. Murphy asked Mr. Ivahy de Oliveira, Manager of Casa Brasil, if he could encourage
40 his customers to enter and exit his establishment via route 9 and not Aberdine Road. Mr.
41 Oliveira said most of his customers did not use Aberdine Road. He said the rental car
42 company near him used Aberdine Road and he asked them not to do this anymore. Ms.
43 Kathy Vassar, a resident from Carter Drive and Town Meeting Member from Precinct
44 One, said if the car rental company was accessing the road then the Board should check
45 the agreement with the Zoning Board of Appeals as there were some restrictions placed
46 on them.

1 Mr. Giombetti asked the TRSC to report back to the Board with its findings and he
2 suspected that the problem was more than just the restaurant but rather the entire complex
3 was using Aberdine Road to avoid route 9 traffic.

4
5 MOVED: To approve Casa Brasil as an All Alcohol Restaurant.

6 Motion: Ms. Esty Second: Mr. Stasik

7 VOTE: 5-0-0
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10 *Consideration of transfer of Class II Auto License from Expo Motors, Inc. USA to Cars*
11 *"R" Us, 395 Waverly Street*

12 Mr. Claudio Martins said he had been involved with auctions for four years and that his
13 partner had been selling cars for two years.

14
15 Mr. Stasik asked what a Class II license entailed. Mr. Martins said it was for the sale of
16 used cars. Mr. Stasik asked if they were limiting the sale to six cars only, to which Mr.
17 Martins responded that it was eight cars outside and two in the building. Mr. Stasik said
18 there was not a plan outlining the location of the building and parking of cars. Mr.
19 Martins presented a copy to Mr. Stasik. Mr. Stasik said he was concerned about parking
20 creep along Route 9 and asked if this was the only place where cars would be parked, to
21 which Mr. Martins said it was. Mr. Stasik asked Mr. Martins about fluids leaking from
22 the cars and preventing these fluids from entering the storm water drains. Mr. Martins
23 said he was familiar with the clean up process from his time at Odessa Auctions. Mr.
24 Stasik asked Mr. King what Town required in regard to protecting the storm water drains.
25 Mr. King said he was not aware of any specific requirements and Mr. Stasik suggested
26 looking into this matter further. Mr. Stasik asked Mr. Martins to confirm that there
27 would be no Saturday and Sunday sales, which Mr. Martins said there would not. Mr.
28 Stasik asked if Conrail owned the land. Mr. Martins said he was renting the land from
29 Joann Thompson.
30

31 Mr. Sisitsky referenced a sheet in the packet outlining additional restrictions. Mr. King
32 said these were attached from the Zoning Board of Appeals (ZBA) and that they would
33 carry on. Mr. Giombetti said the application included language about a repair facility on
34 the premises which was inconsistent with the ZBA restriction. Mr. Martins said repair
35 services would be provided to his customers only as he would have to honor his 90 day
36 warranty per the Lemon Law. Mr. Giombetti said the ZBA restriction did not have that
37 as a condition. Mr. Martins said when he asked about this he was told the only restriction
38 was not making repairs for the general public. Mr. King said restriction three of the ZBA
39 decision from 1985 did not allow for any repairs. Ms. Esty said the Board had seen this
40 before and that businesses had to make arrangements off premises for warranty repairs, to
41 which Mr. Martins agreed. Mr. King said Mr. Martins could go to the ZBA to see if they
42 would rescind this restriction.
43

44 MOVED: To approve the transfer of a Class II Auto License from Expo Motors, Inc.

45 USA to Cars "R" Us with the understanding that there is to be no maintenance on the site.

46 Motion: Mr. Stasik Second: Ms. Esty

47 VOTE: 5-0-0

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3 *Consideration of new Class II Auto License - Classic Auto Sales, 613 Waverly Street*
4 Attorney Paul Galvani represented Classic Auto Sales. He said Long Kia would still
5 operate at this location. Mr. Galvani said his client, Mr. David Wolfson, had been in
6 business for 16 years in Natick. He said his client would have a small office at Waverly
7 Street and that he would sell cars out of that office as well. Mr. Galvani said there would
8 be no changes to the lot or to the building and that there would not be an increase in
9 capacity.

10
11 Mr. Sisitsky asked Mr. Wolfson how a customer would differentiate his used cars from
12 Long Motor's cars. Mr. Galvani said his client's cars would be identified as such and
13 that this would not be a high volume business. Mr. Giombetti asked if there would be a
14 separate entrance for the two businesses, to which Mr. Wolfson said there would likely be
15 a separate entrance but he had not yet determined where this would be.

16
17 Mr. Stasik asked what the hours and days of operation were, to which Mr. Wolfson
18 responded that they would be the same hours as Long Kia. Mr. Stasik asked if the reason
19 that Classic Auto Sales didn't need anything from the ZBA or any permits was because
20 they were piggybacking on Long Kia's site, which Mr. Galvani said was correct. Mr.
21 Stasik asked if Classic Auto Sales would be selling classic cars. Mr. Wolfson said the
22 business name was something he came up with many years ago and that he would be
23 selling all types of models. Mr. Stasik asked if Mr. Wolfson was familiar with taking
24 care of fluids that leaked from vehicles and could possibly enter the storm waster system,
25 which Mr. Wolfson said he was.

26
27 Mr. Giombetti asked if Mr. Wolfson was moving his business from Natick to
28 Framingham, which Mr. Wolfson said it was. Mr. Giombetti asked about servicing
29 vehicles to which Mr. Wolfson replied that Kia already performed automobile service
30 and that he might ask them for a bay in the future. Mr. Giombetti asked how Classic
31 Auto's customers would get their vehicles serviced, to which Mr. Wolfson replied that he
32 had his own mechanics at different locations that he would refer them to.

33
34 MOVED: To grant a new Class II Auto License to Classic Auto Sales.

35 Motion: Mr. Sisitsky

Second: Mr. Giombetti

36 VOTE: 5-0-0
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38

39 *Consideration of transfer of ComVic to Archies, LLC from Ilias Kalaitzidis - Kugle's*
40 *Deli, 855 Worcester Road*

41 Mr. David Livis, Mr. Barry Liebknecht, and Mr. Robert Blaustein sought the transfer of
42 the Common Victualar's license. Mr. Giombetti asked if there would be any changes to
43 the current business, to which they replied there would not be. Ms. Murphy asked about
44 the grease trap and they said that they did not currently have an acceptable one. They
45 added that they were supposed to receive a letter from someone regarding what they
46 needed. Ms. Murphy said there was a letter from the Department of Public Works
47 (DPW) stating that there was not an approved grease interceptor and as such DPW

1 recommended granting the license conditional upon replacing the system within six
2 months. Ms. Esty asked if other restaurants in that building had grease traps because it
3 was an area that involved the sovereign apartments across the street and there had been
4 problems blamed on the grease. She said DPW had to clean out that area more than
5 ordinary. Mr. Sisitsky suggested DPW look into this and that the Board attach conditions
6 to the license renewals for the area restaurants. Ms. Esty said the building owner was
7 told to do something about it and wondered if he should be responsible for it so it was not
8 laid on the businesses. Mr. Sisitsky said a new Town regulation required grease traps to
9 be outside before the pipe enters the Town's sewer system. He said the ones inside the
10 kitchens were not adequate.

11
12 MOVED: To approve the transfer of a Common Victualar's license to Archies, LLC from
13 Ilias Kalaitzdis.

14 Motion: Ms. Esty Second: Mr. Sisitsky

15 VOTE: 5-0-0
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18 *Consideration of new Second Hand License (Buy & Sell DVD, Movies, games, software,*
19 *hardware & accessories) - Blockbuster, 17 Temple Street*

20 Ms. Brenda Thayer was the District Leader responsible for the Framingham location.
21 She said the license was for items they already had in their store.
22

23 MOVED: To approve a new Second Hand License for Blockbuster.

24 Motion: Mr. Stasik Second: Ms. Esty

25 VOTE: 5-0-0
26
27

28 ACTION ITEMS

29
30 *Consideration of Entertainment License – Hanson Farm, 20 Nixon Road*

31 No one from Hanson Farm was present. Ms. Murphy said this was for an annual
32 Halloween event. Mr. Giombetti said they had no previous problems with this event and
33 that it was something he enjoyed.
34

35 MOVED: To approve an Entertainment License for Hanson Farm.

36 Motion: Mr. Giombetti Second: Ms. Esty

37 VOTE: 5-0-0
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39

40 *Consideration of closing the warrant for the October 26, 2005 Special Town Meeting*

41 Ms. Murphy noted the addition of an article that was added after the Board received their
42 meeting packets on Friday. Mr. Purple said the additional article was Article III on page
43 two from the Historical Commission regarding an amendment to the demolition delay
44 bylaw. Mr. Stasik requested an explanation of the article, to which Mr. Purple replied
45 that time would be scheduled to present information on each article to the Board before
46 the special town meeting.
47

1 MOVED: To close the warrant for the October 26, 2005 Special Town Meeting.

2 Motion: Mr. Sisitsky Second: Mr. Stasik

3 VOTE: 5-0-0

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5
6 *Consideration of fall meeting schedule*

7 Mr. King proposed a meeting schedule for meetings each Tuesday through January 3,
8 2006, with the exception of November 22, 2005, December 20, 2005, and December 27,
9 2005.

10
11 MOVED: To accept the fall meeting schedule as proposed by the Town Manager.

12 Motion: Mr. Stasik Second: Mr. Sisitsky

13 VOTE: 5-0-0

14
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16 *Consideration of temporary parking changes, Howard Street and Lawrence Street*
17 *extension – Traffic & Roadway Safety Committee*

18 Mr. John Bertorelli, Director of Engineering and Chair of the Traffic and Roadway
19 Safety Committee (TRSC), said he was requesting a suspension of the two hour parking
20 restriction for the south side of Howard Street between Freeman and Bishop Streets and
21 the southerly side of the Lawrence Street Extension. He said the request was made by
22 Rosewood Construction to suspend the restriction until December 1, 2005 so they could
23 build a parking garage. Mr. Bertorelli said the TRSC voted unanimously to support the
24 suspension.

25
26 Mr. Sisitsky noted that the proposal for Howard Street was a compromise as one side of
27 the street would be two hours for people who visit the area businesses and the other side
28 would be long term for tenants displaced due to the construction. Ms. Esty asked if the
29 lot in question was the Dennison Triangle lot and not the Arcade, which Mr. Sisitsky
30 confirmed.

31
32 MOVED: To grant temporary parking changes as proposed by the Traffic & Roadway
33 Safety Committee through December 1, 2005.

34 Motion: Mr. Giombetti Second: Ms. Esty

35 VOTE: 5-0-0

36
37
38 *Consideration of the acceptance of a land donation, Lot 24 (off Edgell Road) –*
39 *Conservation Commission*

40 Mr. Purple said Michele Grzenda, Conservation Administrator, was unable to attend the
41 meeting and hoped that the information included in the Board's packet would be
42 sufficient for the consideration of this issue. Mr. Purple said this was a donation of land
43 acquired by an order of conditions issued on January 17, 2002. He said the Conservation
44 Commission voted unanimously to have the Board accept the land.

45
46 MOVED: To accept the land donation as proposed by the Conservation Commission.

47 Motion: Ms. Esty Second: Mr. Sisitsky

1 VOTE: 5-0-0

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3
4 *Conference with MetroWest Medical Center – Patrick Mutch*

5 Mr. Patrick Mutch, Chief Executive Officer of MetroWest Medical Center, thanked the
6 Board for the opportunity to speak and handed out a packet of materials. He said the
7 center's annual payroll was \$101 million and that they employed 2,500 people. Mr.
8 Mutch also provided statistics on patient visits.

9
10 Mr. Mutch said one of their goals was to upgrade equipment, facilities, and information
11 technology and he noted that they would be spending \$25 million on this area in the first
12 12 months. He said a second goal was to improve and expand patient care services,
13 including the expansion of endoscopy services. Mr. Mutch added that all hospitals were
14 working toward electronic medical records.

15
16 Mr. Mutch referred the Board to page seven of his handout and noted that there would be
17 a 30-bed unit opening at Framingham Union Hospital by December. He said that they
18 would also be recruiting additional physicians with a particular focus on internists and
19 obstetricians. Mr. Mutch said that the center also needed to promote the services and
20 good employees that they had. He said one of the ways the center would do this was
21 through new signage in the community.

22
23 Mr. Stasik said he had been skeptical of the hospital's transition from nonprofit to for-
24 profit but recently he utilized the hospital's services and has changed his mind. Mr.
25 Mutch said they had inherited great community support and they intended to keep it.

26
27 Ms. Esty said she proposed forming a hospital coalition in all the communities that were
28 served by the center and asked Mr. Mutch if he would welcome such a coalition, which
29 Mr. Mutch said he would.

30
31 Mr. Sisitsky asked Mr. Mutch to talk about the expansion of the emergency room and
32 asked about patient waiting times. Mr. Mutch said there had been a significant expansion
33 in the ER so they had proper facilities for patients. He added that the center was also
34 looking at ways to be more efficient and their priority was to decrease wait times. Mr.
35 Mutch said their wait times were average but that there was room to improve and they
36 would do so. Mr. Sisitsky asked if the TCU conversion would help with the wait times
37 and Mr. Mutch said there would be an increase of about 22 beds so patients will be able
38 to be brought up much faster.

39
40 Ms. Murphy said it was critical to have a high quality medical center in middle of
41 Metrowest and appreciated all of Mr. Mutch's work. Ms. Murphy asked where the
42 MedFlight landed if someone needed to go to a Boston hospital, to which Mr. Mutch
43 responded that most of the cardiology patients went to Beth Israel Deaconess. Ms. Beth
44 Donnelley said it was rare to fly to Boston and that most went via ambulance. She said if
45 a flight was necessary then it would leave from the state police quarters on Route 9. Ms.
46 Murphy asked if orders were on computer or on paper. Mr. Mutch said they were still on

1 paper but documents were available through computers and eventually everything would
2 be done this way.

3
4 Ms. Murphy asked Mr. Mutch to discuss the Hospitalist program. Mr. Mutch said this
5 program is set up so a physician is located in the hospital and will start in Framingham
6 Union in October.

7
8 Mr. Giombetti asked about staffing shortages. Mr. Mutch said they were fortunate to
9 have one of the lowest staff vacancy and turnover rates in the State. He said despite this
10 he knew many nurses were looking to do something different in future so they were
11 working with local schools and being flexible with work hours to compete. Mr. Mutch
12 said they were in better shape than most in regards to nursing. Ms. Esty asked if the
13 hospital kept in touch with colleges and schools. Mr. Mutch said they had significant
14 relationships with all of them. Ms. Esty asked if they reached into the public school
15 system. Ms. Donnelly said that there was an internship program with Framingham High
16 School and they had six students as interns this past summer. She said there were
17 currently ten students coming in after school.

18
19
20 Main Street Bridge – Mr. John Bertorelli

21 Mr. John Bertorelli, Director of Engineering, said Main Street Bridge had been advertised
22 last Saturday and the State Historical Commission asked for the bridge to go as is. He
23 said a small child could easily slip through the bridge rail and the solution was the
24 installation of quarter inch stainless steel wires. Mr. Bertorelli said the wires would allow
25 only a three inch gap so it would meet building code. He said if the Board heeded the
26 request of the State, the State claimed it would require a waiver of the building code, an
27 assertion with which he said Mr. Joseph Mikielian, Building Inspector, disputed. Mr.
28 Bertorelli recommended the Board approve the wires as shown on the diagram for
29 safety's sake and that many historical buildings and structures had modern upgrades to
30 meet safety criteria.

31
32 Ms. Esty asked if it was possible to not have the top and bottom wires. Mr. Bertorelli
33 said they could only go to four inches. Ms. Esty asked if they just had the center covered
34 if that would work. Mr. Bertorelli said he could ask the engineers if that could work but
35 he thought this would be tough.

36
37 Ms. Murphy asked if this was the only option and asked why they couldn't use vertical
38 flat steel. Mr. Bertorelli said they felt the weight of the steel under wind blow would
39 require reinforcing of the railing. Ms. Esty said the Town would want to err on the side
40 of caution. She said she wanted to be sure it had a historic look and that it be as true to
41 its design as possible. Mr. Bertorelli said it was advertised with the wires. Mr. Sisitsky
42 agreed this was necessary for safety and that this would not compromise the historic
43 nature of the bridge. Mr. Giombetti asked if the weight limit would change. Mr.
44 Bertorelli said it would go from two and one half tons to twelve tons but it precluded
45 things like tractor trailers. Mr. Giombetti asked if there could be restrictions placed on
46 the flow. Mr. Sisitsky said the Traffic and Roadway Safety Committee (TRSC)
47 discussed this but decided to go ahead and advertise so that it could get built and then

analyze the traffic flow. Ms. Esty suggested TRSC make it one way west toward the minuteman statute. Mr. Sisitsky said TRSC discussed this and was unanimous in voting to delay doing anything like that until the bridge opened. Mr. Giombetti asked what the neighborhood's thoughts were on this and Mr. Sisitsky said they were content with waiting for the bridge to open and then analyzing the flow. Mr. Stasik asked if the bridge would be able to support town vehicles such as fire trucks and Mr. Bertorelli said it should be able to handle most of the vehicles.

MOVED: To accept Mr. Bertorelli recommendations on the railings.

Motion: Mr. Sisitsky Second: Ms. Esty

VOTE: 5-0-0

Presentation – Jewish Family Services

Mr. Marc Jacobs was the Executive Director of Jewish Family Services (JFS). He introduced Paul Rosenberg, JFS Treasurer, and Adam Sisitsky, Board Member. Mr. Jacobs referred to the packet he handed out to the Board. He said JFS served all members of the community and that 60% of their clients were not Jewish. Mr. Jacobs said the federal government provided demonstration funding to many cities to devise solutions as to how to help elders stay in their homes without moving to a nursing home, a plan known as a Naturally Occurring Retirement Community (NORC) program. Mr. Jacobs said he had worked hard over the years to get Framingham in as a NORC grant community.

Mr. Burton Marmer said individual needs plans were prepared for each NORC resident. He said Framingham could become a driving force to show how this program could work.

Mr. Jacobs asked for the Board's support of the NORC concept and to urge the congressional delegation to work hard to procure funds so the project could expand. He said JFS did a composite of elders in Hastings House and listed many health issues with these citizens. Mr. Jacobs said JFS could help provide a quality of life that these residents deserved onsite. As an example, he said they conducted a needs assessment and one of the things that the residents really wanted was better hair care. Mr. Jacobs said Keefe Tech had a wonderful cosmetology program and they would be doing some care with these elders. He added that an offshoot of this was intergenerational contact which was also important.

All Board members agreed this was a very beneficial program. Mr. Stasik asked if the program funding was ongoing, to which Mr. Jacobs replied it was not. Mr. Jacobs said it was demonstration project funding and that leveraging philanthropic funds would be important.

Ms. Murphy asked if JFS only provided services to people in Hastings House. Mr. Jacobs said the federal government encumbered funds first and then put in the project plan. He hoped to focus on a minimum of two to three buildings where the program could be centered. Ms. Murphy asked if a NORC meant providing services to every

1 resident in a building. Mr. Jacobs said if a building was 30-40% elderly then JFS would
2 look to see if there was a base of interest for the program to determine if it was right for
3 them.

4
5 MOVED: To support the application and send letters to various agencies that provide
6 funding and support this grant application.

7 Motion: Mr. Sisitsky Second: Ms. Esty

8 VOTE: 5-0-0

9
10
11 Tercentennial Park: Issues & Recommendations – Mr. Robert Merusi

12 Mr. King said Mr. Merusi, Director of Parks and Recreation, was in a Planning Board
13 meeting.

14
15 Ms. Murphy called a 5 minute break at 8:57 PM. Ms. Murphy called the meeting back to
16 order at 9:07 PM.

17
18 Mr. Merusi said the Town was about to enter the second phase of development for
19 Tercentennial Park which was made possible by a \$250,000 State grant. He said the
20 Town spends the money to complete the project and then submits the checks to the State
21 for reimbursement. Mr. Merusi noted the project's schedule and said the State sent the
22 award letter out in March instead of November so this had set them back a few months.
23 Given this timeline he said he looked at construction schedules and areas to cut corners,
24 both of which the Planning Board had given approval to this evening. Mr. Merusi said he
25 was concerned about the deadline as it was possible to lose some money if the canceled
26 checks were not in by the deadline to be submitted to the State for reimbursement. He
27 said he informed the Town Manager of his conversation with the State and Mr. King
28 asked him for his recommend, which was to continue with the project provided a
29 contractor could come on board in the near future and not have any bid protests. Mr.
30 Merusi said that even without shutdowns it would be difficult to get the canceled checks
31 in on time so the reimbursement could be at risk. He said the State had the power to
32 amend the grant contracts. Mr. Merusi said he thought it was a good idea to proceed but
33 that some of the \$250,000 might not be recouped.

34
35 Mr. Sisitsky asked what the nature of the work was. Mr. Merusi said it would include
36 reducing the amount of pavement, regrading and repaving, landscape work, some
37 conduit, curbing, and tree planting. Mr. Sisitsky asked if there was any amount of the
38 work that wasn't normal that required a long lead time or specialty work. Mr. Merusi
39 said there wasn't.

40
41 Mr. Giombetti asked if things could be done in parallel. Mr. Merusi said there were
42 items that could be done in parallel. He said if a contract were to be issued that part of
43 the project manager's job would be to document any contract slow down. Mr. Giombetti
44 asked if it was possible to stipulate an end date for the contractor as opposed to 120
45 days. Mr. Merusi said the bid specifications that went out did not have a contract end
46 date in it but the Town could possibly negotiate this.

1 Mr. Sisitsky asked Mr. King about the Town Meeting vote and if it was subject to getting
2 money from the State, which Mr. King said it was based on being successfully awarded
3 the grant from the State. Mr. Sisitsky asked if the Town would have a problem with the
4 Town Meeting vote if some of the money was not reimbursed. Mr. Merusi said the Town
5 would technically not be in violation of Town Meeting vote because it was contingent
6 upon receiving a letter of award which the Town had. He said the spirit of the Town
7 Meeting vote was based on expecting a \$250,000 reimbursement. Mr. Sisitsky said the
8 letter from the State said the project must be completed by June 2006 and wondered if the
9 Town would be reimbursed on a pro rated bases. Mr. Merusi said it did and the Town
10 would be reimbursed incrementally. Mr. Sisitsky said it was not as big a risk as it may
11 seem if the Town was guaranteed to get a portion. Mr. Merusi said this was a very likely
12 scenario.

13
14 Ms. Esty asked about the three month delay by the State in getting the final contract and
15 wondered if there were any avenues of appeal regarding that issue. Mr. Merusi said he
16 was unaware of any particular appeal and when he asked the State they said other
17 communities had lost some reimbursements and some communities have had it extended.
18 Mr. Merusi said he asked the State senator to look into the matter to find out what
19 avenues were available for the Town.

20
21 Mr. Stasik asked for Mr. Merusi's best guess on the dates for returned bids and to make a
22 decision. Mr. Merusi said the Planning Board had just made their decision and there was
23 a 20 day appeal period. He said if there were no appeals, the bid would get closed on
24 September 29, 2005 and then a contractor could start in the second half of October. Mr.
25 Stasik asked how many work days there were before winter and Mr. Sisitsky said it
26 depended on what the contractor was doing as some work could be done year round. Mr.
27 Merusi said if the Town could document itself well there were liquidated damages
28 available so there would be an incentive for the contractor to finish this on time.

29
30 MOVED: To authorize Parks and Recreation to go forward with this project.

31 Motion: Ms. Esty Second: Mr. Sisitsky

32 VOTE: 5-0-0

33
34
35 Town Manager's Report

36 *Update on Wet Shelter*

37 Mr. King said he and Mr. Steve Carl, Police Chief, met with SMOC officials last week to
38 hear their proposed action plan for problems at the shelter. He said SMOC's plan was
39 acceptable to Chief Carl and included: 1) Working with the Framingham Police
40 Department (FPD) to develop a process that immediately identified guests with
41 outstanding warrants, 2) All guests would be required to have a photo ID within seven
42 days of living in the shelter, 3) Agreeing that referrals from outside social service
43 agencies would be substantially screened, curtailed, or stopped all together, 4)
44 Developing a process to work with the FPD to ensure that any accepted referrals would
45 have local ties and would be reviewed for public safety concerns, and 5) FPD monitoring
46 of sex offenders registered at the shelter.

1 Mr. Stasik asked if Mr. King spoke with SMOC about moving the shelter out of a
2 residential neighborhood. Mr. King said they did not have this conversation but could
3 explore it with them.

4
5 Mr. Giombetti noted a Social Services subcommittee meeting with SMOC officials about
6 these matters. He thought it was SMOC's intent to look at placing restrictions on
7 referrals from other shelters. Mr. Giombetti also said they discussed an orderly exit
8 strategy from the business. He said the subcommittee would be addressing the removal
9 of the wet shelter but doing so would require there to be a safety net in place for those
10 citizens who needed a detox facility.

11
12 Ms. Esty expressed concern that this was a public issue but that private meetings had
13 occurred. She reminded the Board about promises SMOC had made in the past. Mr.
14 King said the issues discussed were specific to downtown crime and said he recognized
15 that there were larger issues that would be better dealt with at the Board level. Ms. Esty
16 asked if Mr. King could discuss the relocation with them at next meeting.

17
18 *Snow and Ice Deficit*

19 Mr. King said he received a letter from Senator Spilka which indicated the Senate's
20 supplemental budget would include money for snow and ice.

21
22 *Verizon Poles*

23 Mr. King said he received a progress report from Verizon about their double poles, which
24 they had reduced from 500 to 470. Ms. Esty noted a report she received which stated that
25 the State had the fifth highest phone rates for customers but was the fourth lowest on
26 getting taxes from these companies. She said Verizon had a 23% increase in customer
27 rates but a 53% decrease in taxes they paid.

28
29 Mr. King noted a report from Ms. Esty that revealed Verizon-owned poles were tax
30 exempt and all of the Town's poles were owned by Verizon. He said there was a bill to
31 address this issue. He also noted the MMA was trying to get businesses to send a letter to
32 legislators to support the bill.

33
34 *Bethany Road Calls for Service*

35 Mr. King presented the Board with copies of a "Calls for Service" report within a one
36 mile radius of Bethany Road. Ms. Esty asked if FPD could update the Board on the
37 survey and what had been happening since, along with any recommendations. Mr. King
38 said the FPD would be in at some point to give a presentation and could include this.

39
40 *Framingham MBTA Station Clean Up*

41 Mr. King said as part of the downtown code enforcement the Town had focused on the
42 MBTA station and CSX yard. He said the Town has issued them fines which they
43 appealed. Mr. King said at today's hearing the MBTA's attorney claimed the Town had
44 no legal standing and that the MBTA had done all the clean up needed. He gave a
45 PowerPoint presentation that included photographs from the station showing trash in
46 numerous places. Mr. King noted the improvements they made were not enough. He
47 also showed photographs of the West Natick MBTA station and said that it seemed to

1 have a better landscape and was cleaner. Mr. King noted that the Framingham station
2 was in the middle of downtown and if it didn't look good then the downtown restoration
3 project would be compromised. He said the Clerk Magistrate was putting this to trial and
4 as such Town Counsel would get involved.

5
6 Ms. Esty said the Town could not ask of others more than it expected of itself, noting the
7 condition of the park in the area. Mr. King said he was concerned about the park and was
8 there last Friday to try and get an action plan in place. He said there might be some legal
9 issues and has asked Mr. Purple to work with the Town Counsel on recommendations.

10 Mr. Giombetti suggested contacting the State House delegation for action on this issue
11 and Mr. King agreed. Mr. Sisitsky suggested inviting the general manager of the MBTA
12 to attend a Board meeting to explain their case and if he did not attend then it would be
13 time to address the issue with legislators.

14
15 Mr. Giombetti said he walked through a few neighborhoods this past weekend and noted
16 that some suffered from an overcrowding of parked cars. He suggested an action plan to
17 deal with these issues in the short term.

18
19
20 Selectmen's Reports

21
22 Ms. Esty said she attended a meeting in Natick regarding the management of milfoil. She
23 noted that for \$1,000 over three years, most of the lake milfoil could be eaten by weevils.
24 She also noted a presentation regarding floating plants that cleaned the water and said this
25 would be a \$500,000 plan involving the three bodies of water that made up Lake
26 Cochituate. Ms. Murphy asked about any ill effects and Ms. Esty said none had been
27 reported and recommended pursuing this option.

28
29 Ms. Esty said she received a call about a house on 91 Meadow Street that the new owner
30 wanted to expand and in the process they found an underground oil tank. She noted that
31 this had been on New England Sand and Gravel land and that this might have been one of
32 the undocumented tanks. Mr. King said he had not heard of this and Ms. Esty said she
33 wanted a report.

34
35 Ms. Esty asked if there was any more information on the Fafford property on Old
36 Connecticut Path. She hoped the property owners were getting a bill from the Town if
37 Town sweepers were cleaning up there. Mr. King said he did not have enough
38 information to send them a bill and said the issue was in front of the Zoning Board of
39 Appeals.

40
41 Mr. Stasik said he would like to fill positions on the Route 126/135 committee at next
42 week's meeting and sought guidance from the Board as to the size of the committee. Ms.
43 Esty said she would serve as an ex-officio member so that there would not be three Board
44 members voting on the committee. Ms. Murphy felt it was a complicated issue and as
45 such necessitated a larger committee. Mr. Sisitsky said if people had a vote then they
46 would have more at stake and said the committee did need to be small enough so a

1 quorum could be attained. Mr. Giombetti said if there was a short timeframe then a
2 smaller committee would be more conducive.

3
4 Mr. Stasik said the MAPC was beginning an effort to go to all of the MPO sub-regions to
5 see if the current MPO structure was effective. He said there would be an exploration
6 period for other ideas and that he would suggest each sub-region be allowed to choose its
7 own community to represent it. Ms. Murphy suggested putting this on a future agenda to
8 make a decision.

9
10 Ms. Esty said MAPC figures and projections were coming and hoped the Planning
11 Department would submit more information and questions to the MAPC. Mr. King said
12 this was being done. Mr. Stasik suggested making this an agenda item.

13
14 Mr. Stasik suggested having FDR in to discuss downtown sign concerns.

15
16 Mr. Giombetti said there was an important Water and Sewer Rate Setting meeting on
17 September 22, 2005. Mr. Sisitsky said the MWRA had recently issued a forecast of rates
18 for the next five years and predicted that Framingham's rates would go up by 45% during
19 this time. He said it behooved the Town to get the water wells operating or else there
20 would be steeper water rates from the MWRA.

21
22 Ms. Murphy said the Valadares delegation visited Framingham and they mostly talked
23 about the underpass.

24
25 Ms. Murphy said there would be a home buyers' fair at Nevins Hall on October 6, 2005
26 from 6:30 – 9:30 PM.

27
28 Ms. Murphy said there would be a reception to honor Steve Herring before the next
29 Board meeting on September 27, 2005 at 6 PM.

30
31 Ms. Murphy said she would be attending the MMA's conference on October 18, 2005.
32 Mr. Stasik said she should bring up the section three suggested change regarding reviews
33 of Dover Amendment projects over a certain size. Ms. Murphy said she would talk with
34 Mr. King about this as well.

35
36 Ms. Murphy said the Veteran's Council would be recognizing Goldstar mothers at
37 Cushing Chapel at 2 PM on September 25, 2005.

38
39 Board members also noted the opening of the New Life Presbyterian church on
40 September 23, 2005 and the Walk Against Hunger and a concert for Hurricane Katrina
41 relief on September 25, 2005.

42
43 MOVED: To move into executive session for the purpose of contract negotiations with
44 the Town Manager and for litigation.

45 Motion: Mr. Stasik Second: Ms. Esty

46 VOTE: 5-0-0

1 The Board returned from Executive Session at 11:12 PM.
2
3 MOVED: To adjourn.
4 Motion: Mr. Sisitsky Second: Mr. Stasik
5 VOTE: 5-0-0
6
7 Meeting adjourned at 11:12 PM.
8
9
10 Respectfully submitted,
11
12
13
14 Charles J. Sisitsky, Clerk